

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5373

IN THE MATTER OF:

Served July 14, 1998

Investigation of Unauthorized)	Case No. MP-98-17
Change of Control, Directed to:)	
K&G LIMOUSINE SERVICE, INC., WMATC)	
No. 291, and LIMOUSINES FOR YOU,)	
INC.)	

This investigation was initiated on April 7, 1998, in Order No. 5308, pursuant to Article XIII, Section 1(c), of the Compact, which authorizes the Commission to investigate violations of the Compact. Section 1(e) provides that if the Commission finds a person has violated the Compact, the Commission shall issue an order compelling compliance and effecting other just and reasonable relief.

The Compact governs the transfer of a WMATC carrier's assets, operations or certificate of authority to another carrier.¹ A WMATC carrier is charged with the knowledge that such transfers require prior Commission approval.²

Order No. 5308 noted that a check drawn on the account of "Limousines For You, Inc." in payment of the WMATC annual fee for 1998 and follow-up inquiries by staff indicate that respondent K&G has transferred its WMATC operations to Limousines For You without prior Commission approval.

Order No. 5308 gave respondents thirty days to file an acceptable transfer application or show cause why a civil forfeiture should not be assessed for knowing and willful violation of the Compact. Respondents did not comply.

Accordingly, in Order No. 5343, we assessed a civil forfeiture of five hundred dollars against respondents and ordered them to cease all operations in the Metropolitan District and show cause within thirty days why Certificate No. 291 should not be revoked.

It has been more than thirty days since Order No. 5343 was issued, and neither respondent has made the necessary showing.

¹ Compact, tit. II, art. XI, § 11, & art. XII, § 3.

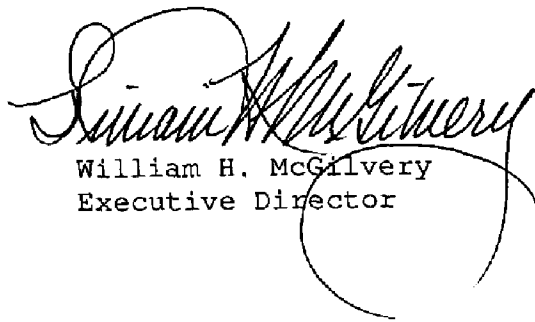
² Order No. 5065; In re All-Star Presidential, LLC, & Presidential Coach Co., & Presidential Limo. Serv., Inc., No. MP-95-82, Order No. 4961 (Oct. 29, 1996).

Certificate of Authority No. 291 shall be revoked pursuant to Article XI, Section 10(c), of the Compact for respondents' willful failure to comply with the transfer provisions of the Compact, the regulations thereunder and the orders in this proceeding.

THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 291 is hereby revoked.
2. That respondents are hereby directed to remove from their vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61.
3. That respondents are hereby directed to file within 30 days from the date of this order a notarized affidavit verifying that respondents have complied with the preceding paragraph.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery
Executive Director